



General Assembly

**Substitute Bill No. 220**

February Session, 2004

\* SB00220ED 042104 \*

**AN ACT CONCERNING PESTICIDES AT SCHOOLS AND DAY CARE FACILITIES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 10-231a of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2004*):

3 As used in sections 10-231b to 10-231d, inclusive, [and section 19a-  
4 79a,] "pesticide" means a fungicide used on plants, an insecticide, a  
5 herbicide or a rodenticide but does not mean a sanitizer, disinfectant,  
6 antimicrobial agent or a pesticide bait, and "lawn care pesticide" means  
7 a pesticide registered by the United States Environmental Protection  
8 Agency and labeled pursuant to the federal Insecticide, Fungicide and  
9 Rodenticide Act for use in lawn, garden and ornamental sites or areas.

10 Sec. 2. (NEW) (*Effective October 1, 2004*) Notwithstanding the  
11 provisions of sections 10-231b to 10-231d, inclusive, of the general  
12 statutes, no person shall apply a lawn care pesticide on the grounds of  
13 any public or private elementary school. This section shall not apply in  
14 the case of an emergency application of a lawn care pesticide to  
15 eliminate an immediate threat to human health, provided such  
16 emergency application does not involve a restricted use pesticide, as  
17 defined in section 22a-47 of the general statutes, unless requested by  
18 the Commissioner of Environmental Protection.

19 Sec. 3. Section 19a-79a of the general statutes is repealed and the  
20 following is substituted in lieu thereof (*Effective October 1, 2004*):

21 (a) As used in this section, "pesticide" means a fungicide used on  
22 plants, an insecticide, a herbicide or a rodenticide but does not mean a  
23 sanitizer, disinfectant, antimicrobial agent or a pesticide bait, and  
24 "lawn care pesticide" means a pesticide registered by the United States  
25 Environmental Protection Agency and labeled pursuant to the federal  
26 Insecticide, Fungicide and Rodenticide Act for use in lawn, garden and  
27 ornamental sites or areas.

28 (b) [On and after July 1, 2000, no] No application of pesticide may be  
29 made in any building or on the grounds of any child day care center,  
30 group day care home or family day care home, each as described in  
31 section 19a-77, as amended, during regular business hours except that  
32 an emergency application may be made to eliminate an immediate  
33 threat to human health if (1) it is necessary to make the application  
34 during regular business hours, and (2) such emergency application  
35 does not involve a restricted use pesticide, as defined in section 22a-47.  
36 No child enrolled at such center or home may enter an area where  
37 pesticides have been applied until it is safe to do so according to the  
38 provisions on the pesticide label.

39 (c) Notwithstanding the provisions of subsection (b) of this section,  
40 no person shall apply a lawn care pesticide on the grounds of any child  
41 day care center or group day care home, as described in section 19a-77,  
42 as amended, except that an emergency application may be made to  
43 eliminate an immediate threat to human health, provided such  
44 emergency application does not involve a restricted use pesticide, as  
45 defined in section 22a-47.

This act shall take effect as follows:	
Section 1	<i>October 1, 2004</i>
Sec. 2	<i>October 1, 2004</i>
Sec. 3	<i>October 1, 2004</i>

**ED**      *Joint Favorable Subst.*